



PATENT

DAC
#6IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Wang and Sadik Esener)
Serial No.: 09/547,395) Group Art Unit: 1752
Filed: April 11, 2000) Examiner: Hamilton, C.
For: THREE-DIMENSIONAL OPTICAL DATA)
STORAGE IN FLUORESCENT DYE-DOPED)
POLYMER)
Atty's Docket No.: UCSD 99-037)
San Diego, California
February 10, 2003

RECEIVED
FEB 21 2003
OFFICE OF PETITIONS

PETITION UNDER C.F.R. §8(b) (NO FEE) TO WITHDRAW HOLDING OF
ABANDONMENT ON THE BASIS THAT
A REQUIRED RESPONSE WAS TIMELY MAILED

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

1. Petition is Timely

The present Petition is timely within a two month foreshortened statutory period since the mailing of a NOTICE OF ABANDONMENT UNDER 37 C.F.R. 1.53(f) OR (g); see the second following paragraph.

2. Petition is Believed Properly Directed

The present Petition is believed properly directed to the Examining Group. If not so properly directed, please forward to: Attn: Office of Petitions, Assistant Commissioner for Patents Box DAC, Washington, D.C. 20231

3. Status of the Application is Abandoned

The above-identified patent application has become abandoned by NOTICE OF ABANDONMENT UNDER 37 C.F.R. 1.53(f) OR (g) mailed December 9, 2002, a copy of which is attached.

4. The Holding of Abandonment is Petitioned to be Withdrawn Because Applicant Timely Filed a Proper Response

The holding of abandonment is petitioned to be withdrawn.

RECEIVED
FEB 25 2003
TC 1700 MAIL ROOM

Applicant timely filed the enclosed reply to the Office Action of April 22, 2002, mentioned in the NOTICE OF ABANDONMENT.

5. Applicants' Registered Representative So Sates

Applicants' undersigned registered representative so states and declares that this statement made herein of his own knowledge is true; and further that this statements is made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent(s) issued thereon.

6. Discussion of Non-Receipt

Discussion of why the duly mailed response did not reach the Examiner is speculative, but Applicants' undersigned representative has had, after 20+ years of practice, this happen before in the period since 9/11/01, and more particularly during the period when the mails sent to the PTO have evidently been chemically treated (in a manner not exactly known to Applicants, nor Applicants' undersigned representative) apparently so as to preclude any spread of injurious microorganisms.

To make a long story short, in an Amendment **not in this application** that was **returned to Applicants' undersigned representative** at his return address, the (i) mail was strongly discolored, indicating (gaseous?) chemical treatment, and the primary mail label -- to the PTO -- on the envelope had become **detached**. (The return address label, only, remained.) Applicants' undersigned representative has since attempted, and is attempting to deal, with this eventuality of a **detached mailing label** by **taping over** all (standard, Avery label stock) mailing labels to the PTO, but this does not invariably happen.

Consider now the present application. A **copy** of the check written therefore -- Applicants' representative's number 2618 -- is attached as EXHIBIT A. This check has never been returned to Applicants' undersigned representative. The **actual** next two checks of Applicant, also to the PTO, are attached as EXHIBITS C and D. Do not regard the physical "wrinkling" or the like of these two checks. Please consider (only) the brittle, and discolored nature of the paper. By the event described above, Applicant **knows** that his mailing labels have **failed** under these same conditions. Further details, ad nauseam, of this other mailing failure are available on request.

Please either (i) add the enclosed checks as Exhibits to the permanent file of the application, or (ii) return the same to

Applicants' representative in the enclosed self-addressed envelope. Applicants' representative may need to locate the same for further showings, and would prefer that they **not** be destroyed.

Additionally probative (although assuredly not deterministic) that a proper response **was** timely mailed in the present application is the smooth progress on the companion application differing by but one serial number, Notice of Allowance therefor being attached as EXHIBIT D.

7. Payments

The extension fee has gone up in the interim period.

Out of an abundance of caution, Applicants replaces **not** their original check in the amount of \$200, but rather the current, 2003, two months extension fee in the amount of \$205.

8. Non-Entrance or Non-Allowance of the Enclosed Amendment

If the enclosed amendment under Rule 116 is refused entrance, or fails to place the application in condition for allowance, the situation is **ostensibly** presented that it is now longer timely to file a continuation (nor any divisionals).

Applicants will cross this bridge, if necessary, when and if he comes to it. If the application is not already in condition for allowance, then telephone call of the Examiner to discuss these issues is solicited.

Serial No. 09/547,395
Page 4

Applicants' undersigned attorney is at the Petition Examiner's disposal should the Petition Examiner wish to discuss any matter which might expedite prosecution of this case.

Sincerely yours,

Sincerely yours,

William C. Fuess

William C. Fuess
Registration Number 30,054

FUESS & DAVIDENAS
Attorneys-at-Law
10951 Sorrento Valley Road
Suite II-G
San Diego, California 92121-1613
Telephone: (858) 452-8293
Facsimile: (858) 452-6035
E-mail: fuess@pacbell.net

William C. Fuess
☒ Attorney of Record
☐ Filed Under 37 CFR §1.34(a)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date written below.

February 10, 2003 William C. Fuess
Date Typed Name of Person
 Mailing Correspondence

William C. Fuess

Signature of Person Mailing
Correspondence

EXHIBIT A

WILLIAM C. FUESS
ATTORNEY AT LAW

10951 Sorrento Valley Road Suite II-G
San Diego, CA 92121-1613
PH: 858 452 8293

Wells Fargo Bank
Solana Beach Branch, CA 92075

2618

19 August 2002

PAY
TO THE
ORDER OF

Commissioner of Patents & Trademarks

two hundred and 10/100

Dollars

\$ 200 ⁰⁰/₁₀₀

02/50,395
Desn 99-037

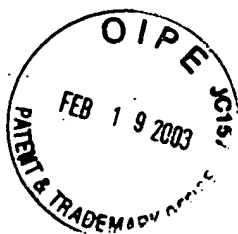
William C. Fuess

Authorized Signature

2618

⑆ 122000247⑆

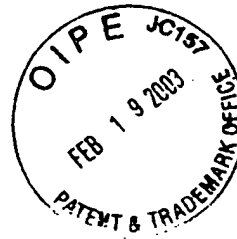
0636035032⑈



RECEIVED
FEB 21 2003
OFFICE OF PETITIONS

RECEIVED
FEB 25 2003
TC 1700 MAIL ROOM

EXHIBITS B & C



WILLIAM C. FUESS
ATTORNEY AT LAW
10951 Sorrento Valley Road Suite II-G
San Diego, CA 92121-1613
PH: 858 452 8293

Solana Beach, CA 92075

2619

19 August 2002

PAY
TO THE
ORDER OF:

Commissioner of Patents & Trademarks

\$ 55⁰⁰/₁₀₀

fifty-five and 00/100 Dollars

Memo:

08/831 591
BUT 0006P/AN

William C. Fuess
Authorized Signature

2619

⑆122000247⑆

0636035032⑈

⑈0000005500⑈

WILLIAM C. FUESS
ATTORNEY AT LAW
10951 Sorrento Valley Road Suite II-G
San Diego, CA 92121-1613
PH: 858 452 8293

Wells Fargo Bank
Solana Beach Branch, CA 92075

2620

23 August 2002

PAY
TO THE
ORDER OF:

Commissioner of Patents & Trademarks

\$ 55⁰⁰/₁₀₀

fifty-five and 00/100 Dollars

Memo:

DIA 0002A

William C. Fuess
Authorized Signature

2620

⑆122000247⑆

0636035032⑈

⑈0000005500⑈

PATENT AND TRADEMARK OFFICE
13-10-0001
09-05-2002
FOR CREDIT TO THE
U.S. TREASURY

0020 49763

FIRST VICTORIA BANK
 1000 VICTORIA AVENUE
 VICTORIA, B.C. V8W 2E2
 TEL: 253-1111 FAX: 253-1111

三三三

0017.19790

FIRST VIRGINIA BANK
 400 W. MAIN ST. 10TH FL.
 FALLS CHURCH, VA
 1-800-523-9499
 4056 001 1184

209-602

RECEIVED
FEB 13 1981
COMMUNICATIONS SECTION



US006501571B1

E-14102ET 01

(12) **United States Patent**
Wang et al.

(10) **Patent No.:** **US 6,501,571 B1**
(45) Date of Patent: **Dec. 31, 2002**

(54) **THREE-DIMENSIONAL HOLOGRAPHIC
 STAMPING OF MULTI-LAYER BIT-
 ORIENTED NON-LINEAR OPTICAL MEDIA**

5,422,873 A * 6/1995 Kewitsch 359/10
 5,559,732 A * 9/1996 Birge 365/120

* cited by examiner

(75) **Inventors:** **Mark Wang**, San Diego; **Sadik
 Esener**, Solana Beach, both of CA (US)

Primary Examiner—Cassandra Spyrou

Assistant Examiner—Leo Boutsikaris

(73) **Assignee:** **The Regents of the University of
 California**, Oakland, CA (US)

(74) *Attorney, Agent, or Firm*—Fuess & Davidenas

(57) **ABSTRACT**

(*) **Notice:** Subject to any disclaimer, the term of this
 patent is extended or adjusted under 35
 U.S.C. 154(b) by 0 days.

A master hologram is generated in a first optical medium by
 use of a plurality m of different reference beams, each beam
 bearing information suitably recorded in one or more of a
 plurality n layers of the second optical medium that are
 distinct from layers in which information in all other beams
 is suitably recorded. The generated master hologram is then
 used to optically holographically stamp, or record, multi-
 layer bit-oriented optical media by writing all n layers of the
 volume of the blank optical medium with m recording
 beams produced by simultaneously illuminating the master
 hologram with all m different reference beams, each illumi-
 nating reference beam being at a different reference angle
 and from a coherent light source which is incoherent with
 respect to every other illuminating reference beam. By this
 generating and this using a high degree of incoherency is
 obtained, making that during subsequent readout of a
 selected, focused, layer of the recorded optical medium
 signals from all other layers will become as background
 noise having nearly uniform intensity. The method requires
 a highly non-linear optical medium: a new dye-doped pho-
 topolymer is preferred.

(21) **Appl. No.:** **09/547,396**

(22) **Filed:** **Apr. 11, 2000**

Related U.S. Application Data

(60) Provisional application No. 60/128,990, filed on Apr. 12,
 1999.

(51) **Int. Cl.⁷** **G03H 1/20**

(52) **U.S. Cl.** **359/12; 359/10; 359/22;
 359/24**

(58) **Field of Search** **359/10, 12, 22,
 359/24**

(56) **References Cited**

U.S. PATENT DOCUMENTS

5,096,790 A * 3/1992 Monroe 359/10
 5,268,862 A * 12/1993 Rentzepis 365/151
 5,416,616 A * 5/1995 Jenkins 359/10

30 Claims, 9 Drawing Sheets

